

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 360 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE J.N.BHATT

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

DILIP RAMANIKLAL PARIKH HEIRS OF DECD. RAMANIKLAL S PARIKH

Versus

STATE OF GUJARAT

Appearance:

MR MAZGAONKAR for Petitioner
MS HARSHA DEVANI, AGP, for Respondent No. 1
MR ANANT S DAVE for Respondent No. 2

CORAM : MR.JUSTICE J.N.BHATT

Date of decision: 22/12/2000

ORAL JUDGEMENT

This petition under Article 226 of the Constitution of India is filed for the direction to calculate the revised pension of late Mr R.S.Parikh, former Chairman of the Gujarat Public Service Commission, as per the Government

Resolution dated 5th June, 1985.

At the time of hearing, the attention of the Court was invited to the fact that earlier Special Civil Application No.391/70 filed by late Mr.R.S.Parikh for the same relief came to be withdrawn, unconditionally, by the order of the Court on 29.7.70. This position is also clear from the averments made in para 4 & 5 of the petition. It is a settled proposition of law that no successive petition would be maintainable. There is no subsequent cause of action or event which would warrant or prompt this Court to exercise extraordinary, plenary, discretionary, constitutional powers. Therefore, this petition deserves to be rejected. Accordingly, it is rejected. Rule discharged.

(J.N.Bhatt, J.)

(vjn)